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ABSTRACT

The report describes results of a project to review the implementation of various laws, regulations, procedures, and programs for handicapped students which have evolved during the last 5 years in New Hampshire. Accomplishments since passage of P.L. 94-142 (the Education for All Handicapped Children Act) include development of a 5 year plan for serving educationally handicapped students for each local school district and an emerging awareness of the complexity and the interrelatedness of agencies, services, laws, and funding serving handicapped students. Suggestions are offered regarding four objectives related to delivery of programs and services: obtaining an equitable distribution of quality services and programs across the state; assuring that the programs and services are resulting in increased student progress at a level sufficient for the effort expended; insuring a more cost effective delivery of programs and services; and redefining the roles of the state and the special education section in a consolidation effort. Recommendations offered include stablization of programs and funding for 2 years; redefinition of the state and special education's leadership, authority, and responsibilities; and initiation of an evaluative study of student progress and program input. Appended is a summary of the report along with a discussion guide. (SB)

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SPECIAL EDUCATION IN NEW HAMPSHIRE

A FIVE-YEAR PERSPECTIVE

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August, 1981

Commissioned By:

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INTRODUCTION

In Spring 1981, the State Special Education Section contracted with the New England Institute in Education to review and report on school districts' and regional centers' fiscal procedures for the use of State funds and the appropriateness of out-of-district placement costs. In this review, it was found that local districts were complying with regulations; that records of funds were available; and that irregularities were attributable to continual, often confusing changes in both State and local procedures. The conversations and concerns which then grew out of this spring's review by Dr. Crosby and Dr. Massey led to this report presenting the Institute's observations and ideas about past, present, and future special education services in New Hampshire.

This report is based on the professional judgements and projections from a broad base of synthesized information. Prior to 1981, the authors have been involved with special education in New Hampshire in several roles which included:

- -directing the Child Find Project which resulted in the Special Education Information System (SPEDIS).
- -developing and coordinating the New Hampshire/Vanderbilt-Peabody doctoral program in management, program development, and staff development for special educators.
- -assisting in the development, pilot, and continuing modification of the Special Education Section's program approval process.
- -developing and implementing workshops for teachers and special education staff in the implementation of P.L. #94-142.
- -documenting Claremont Technical Institute's programs for serving hearing impaired students at the post-secondary level.

Other New Hampshire work of the Institute with special education components has included evaluation of the Keene State College/Marlborough Teacher Corps Project, co-directing the Title IV Exeter Preschool Project, and program develop-

ment for the Keene State College/Fall Mountain Teacher Corps Project. Additionally, Dr. Crosby serves on the national advisory board for the Evaluation Training Consortium of the Bureau for the Education of the Handicapped (BEH) and Dr. Massey has published several articles and books addressing issues in special education as well as having developed the University of Southern Maine's psychoeducational clinic.

This work with schools' special education staff, teachers, administrators, and business managers; with higher education faculty and students; with the State Special Education Section's staff; and the national level has allowed the writers to observe the implementation of the various laws, regulations, procedures, and programs which have evolved during the last five years in New Hampshire. The methods of analysis, synthesis, and judgement applied to these observational data are those of naturalistic evaluation. Other people using other evaluative methods would be likely to have perspectives and judgements different from those written here. This report is presented as a document for discussion, from which those involved may develop their own direction.

THE PAST

> In 1954 at Evergreen High School, James Merritt was the star of the basketball team. He could not read, although the English teacher had spent many evenings for two years tutoring him on her own time. He scraped through school by listening in class and having tests read to him. He has a learning disability, but in 1954, we did not know that.

As little as ten years ago in New Hampshire, the problem was much the same. Severely handicapped students were in institutions or at home. They were not expected to be part of the regular school. Some students, especially those with mild to moderate intellectual handicaps, were in "special" classrooms, often located outside the school building. They might have one teacher for many years and work in a group with students who were five or six years older. There were many students like James in the regular classroom, who often dropped out of school or got into trouble. Many educators recognized their symptoms, but few understood their problems, and even fewer knew what to do. These students continued in classrooms or dropped out, ignored like those away in institutions.

In 1975, P.L. #94-142 was passed and special education changed. The basis of the law was the feeling that handicapped students were being denied their right to a local public education. Some students were shut out. They were "too hard to handle"; their "wheelchairs won't fit", "we can't do a thing for them". Another whole set of students like James had not been identified as handicapped, only as having a "problem". These students too were not receiving an "appropriate education". The knowledge for educating these students most appropriately so that they could fulfill their potential was available but it was held by personnel in special education, <u>not</u> by regular school administrators, by teachers, or by parents. Responsibility for their education was felt to belong to someone other than the local district, probably the State. The law now requires identification of all handicapped children; a free and appropriate education in the least restrictive environment, most

often the local school district, for such students; and due process and procedural safeguards for students and their parents.

Since the law was passed in 1975, a lot has happened in special education in New Hampshire.

- -Each local district developed a 5-year plan for serving educationally handicapped students.
- -School districts hired additional personnel trained in special education.
- -Schools initiated many special education services and programs for educationally handicapped students.
- -Hundreds of educators attended workshops, courses, meetings, and conferences for training in aspects of special education.
- -Regional centers formed to provide programs and services for educationally handicapped students within geographic areas.
- -SPEDIS was created to assist in the identification of handicapped students and to provide an efficient system for managing, monitoring, and reporting information for local districts and the State.
- -Standards for monitoring and approving programs were developed and implemented.
- -Students were removed from isolating institutions and placed in programs in the "least restrictive alternative".
- -Parents and educators joined together to obtain and protect the legal rights of handicapped children.

From 1975 to 1981, special education in New Hampshire has been in a multifaceted development phase. Significant sums of money have been allocated by the State, and lesser sums by the federal government, to support local and regional development of programs and services for handicapped students. The most recent review indicates that these funds have been used appropriately and that accounting for them is accurate. The State's leadership role in this development as implemented by the Special Education Section has been significant. Leadership functions of the Section during the last five years include:

-interpreter of the laws
-developer of regulations
-advocate for the rights of handicapped students
-articulator of goals
-coordinator of local and regional plans
-facilitator of program development
-creator of program standards
-monitor of programs and services
-trainer of personnel
-distributor and monitor of funds
-collector of data for reporting
-provider of technical assistance

The programs and services provided for handicapped students in New Hampshire are a direct reflection of the successful leadership of State personnel, a conclusion reinforced by looking at progress in similar states. The programs and services and the funds provided by the State of New Hampshire and the federal government have resulted in:

1. The acquisition of a broad base of knowledge about the law and about the education of handicapped students by large numbers of people in New Hampshire.

   No longer are we ignorant about how to help James.

2. The delivery of services through a wide range of programs for handicapped students throughout the state.

   No longer is James ignored, regardless of where he lives in New Hampshire.

3. The responsible use of funds by local districts and regional units to serve handicapped students.

   Funds have been generated through hard work, skill, and dedication to provide a program for James.

4. An emerging awareness of the complexity and the interrelatedness of agencies, services, laws and funding serving handicapped students.

   Helping James is a local responsibility belonging to no one person and demanding multiple skills, resources, and cooperation.

The accomplishments of New Hampshire in the last few years have been major. Few states can match the quality of effort that has been expended in special education by New Hampshire. Problems exist, issues need to be resolved, and new directions initiated, but step back from the daily crises. The people of New Hampshire have within five years seriously and responsibly addressed a significant educational and societal problem. Major changes working toward resolution of special education issues have been created with integrity. Students are being served. The development phase is over. A beginning has been made, but much remains to be done.

THE PRESENT

> In 1980 at Spring Elementary School, Debra Mitchell sees the speech therapist, the LD specialist, her 5th grade teacher, and is tested every semester by the reading specialist. Over the four years of Debra's schooling, there have also been parent conferences, IEPs written, and team staffings. Debra still reads slowly and has trouble with some sounds.

Debra receives a variety of services from a range of staff provided by her local school district. Both her family and her school are involved in complex decisions about the most appropriate program for Debra. Information about Debra is collected regularly as part of that decision-making process. All this help has developed rapidly during the last five years. It is time now to look at the many different pieces of Debra's services to see where they overlap, to determine which are most important, and to decide what still must be developed. What is appropriate now in New Hampshire is this kind of consolidation for individual students, for local districts, and for the State.

All aspects of special education have bulged. There is little bloat in New Hampshire, merely a bulge created by additional students having been identified, many new programs having been developed, constant changes, lots of paperwork, and extensive attention to the problems. *This was to be expected. It is a normal part of any new venture.* All development phases generate creative activity, but creative activity should be followed by thoughtful reflection and the application of judgements. The several committees now meeting in the State are important to establishing specific directions for the next phase. Development is over and now is the time to begin consolidation at all levels of special education based not on budget tinkering, but on study, analysis, and evaluation.

The key objectives and issues to be addressed in a consolidation effort which would affect the delivery of programs and services for the educationally handicapped in New Hampshire include:

1. To obtain an equitable distribution of quality services and programs across the state.

2. To assure that the programs and services are resulting in increased student progress at a level sufficient for the effort expended.

3. To insure a more cost effective delivery of programs and services.

4. To redefine the roles of the State and the Special Education Section in a consolidation effort.

The remainder of this report addresses these four issues and suggests steps that would work toward their resolution and that would represent the tasks of a consolidation phase. These past two sections describing the past and the present have been clear and concrete. The next section on the future is more complex. There are statements which may seem complicated. There are questions which are raised and left unanswered. This next section is intended as a guide for discussion through which groups might find their own specific direction for the future.

THE FUTURE

Issue #1 To obtain an *equitable distribution* of quality services and programs across the state.

Programs and services for handicapped students in the state are spotty. If Debra Mitchell lives in one part of the state, she would receive outstanding diagnostic service. If she lives in another part of the state, her diagnostic services might be cursory. It is likely in some regions that she would see a speech therapist only 30 minutes per week in a group of three students as the therapist travels over a large area with an impossibly large case load. Tom Brown, an emotionally disturbed adolescent, might be expelled from school or drop out unless he is lucky enough to live in one of the few regions providing appropriate services for him.

Services and programs to address all degrees of handicapping conditions exist within the state at this time, but they are not available in each area of the state. *A student's programs and services are as likely to be determined by what is locally available as by the needs of the student.* The range of programs and services available to a student has improved dramatically in the last five years and virtually all handicapped students receive better and more appropriate instruction than they did in the past. However, programs and services are still unequally distributed across the state.

The development of programs and services within a geographic area or local district appears to be directly correlated to the expertise and interest of the special education staff in the area. A region in which the personnel have skills and previous experience in working with emotionally disturbed students is likely to have comprehensive programming for these students. A region whose personnel are most interested in severely intellectually handicapped students is likely to give priority to services for these students.

Within New Hampshire, there are approximately 12,000 students with mild handicapping conditions (high incidence), approximately 2,000 students with moderate handicapping conditions, and approximately 500 students with severe handicapping conditions (low incidence). In general, programs for students with high incidence handicapping conditions should be available locally. Programs serving students with lower incidence handicapping conditions should be available on a regional or state basis. While the responsibility for educating each handicapped student clearly lies with local school districts, the responsibility for insuring the availability of programs and services for moderately and severely handicapped students is unclear. As the severity of the handicapping condition increases, the number of students involved goes down and the need for and costs of services go up. The lack of clearly defined responsibility for these services can lead to the absence of programs or the development of programs based primarily on local staff expertise and interest.

The State needs a comprehensive plan which insures that programs and servcies are equally available throughout the state. For example, programs for moderatly learning disabled students should be available in every high school.

RECOMMENDATION: A three-part plan be designed by the State which compiles the type and level of programs and services that should be available by district, by region, and by state that would insure the equitable availability of programs and services to educationally handicapped students in New Hampshire.

Such a plan would then provide the framework or conceptual schemes for future decisions regarding distribution of funds for programs and services for specific groups of handicapped students in New Hampshire over the next five-year period. In the creation of this plan, it would also become obvious 1) that some handicaps are too low incidence and the related programs too costly to be available in each local

area and 2) that some local programs which presently exist need to be made available to students on a broader basis or moved to a more central geographic area. For instance, one program for autistic students might, if moved 40 miles, serve double the present population while increasing staffing by only 50%.

Prior to this time, a comprehensive plan was not possible. The number and needs of educationally handicapped students in New Hampshire were not clear. Knowledge about the range of services needed consisted of hunches held by a few with a state-wide view. Today, information and knowledge are available through SPEDIS, special education directors and State employees for the development of a rational state-wide plan for services and programs. This plan could then be laid against what presently exists, and plans for filling the gaps and eliminating duplication could be charted over a five-year period.

Responsible implementation of such a service plan would necessitate stabilized funding. Planning to date has been very difficult due to the annual changes in funding formulas. All parts of the system from local district through State offices have gone through an annual dance in response to the yearly jerk of the purse string. The annual money jerk ripples through the system taking several months of decision makers' time and energy away from student services to figure out how best to accommodate the latest financial crisis. No long range plan or stable programming is possible with annual changes in the level or method of funding.

Issue #2 To insure that programs and services are resulting in *increased student progress* at a level significant for the effort expended.

Debra Mitchell, used in the example, comes from a financially "poor" district which has put forth its maximum effort with limited resources and staff. This district is trying to serve responsibly its handicapped students like Debra. The question that is gnawing over time and seems to remain unanswered is the basic issue of Debra's learning. With all this effort, attention, and more appropriate program, is Debra learning more or faster than she would otherwise? No one seems to know. It is difficult to see progress within short time periods, but after three or four years of continuous delivery of services for a sizable number of handicapped students in this state, some judgements should be able to be made. For several years now Debra has had an individual educational plan (IEP) with diagnostic reassessments. Determining if Debra has made progress should be possible. In the near future the State will have to answer the questions about Debra's learning.

RECOMMENDATION: A multi-level study of the impact of programs on the progress for handicapped students should be designed and implemented within the next five years.

The goal of special education programs and services is to increase the learning of the participating students. The purpose of such a study would be to ascertain the progress of a random sample of students with varying handicapping conditions and degrees of severity. Such a study should provide information about 1) the gains of individual students, 2) the impact of different kinds of programs on the handicapping conditions they are designed to help, and 3) the relationship between impact and the resources allocated.

This recommendation is not made lightly or without qualms. Undertaking such a study holds great risks -- ten years of progress and work could be brought into question. Few states are even asking the question. Most people are proceeding as though all students were learning and the right way had been found. Evaluation in this area is not very sophisticated and is filled with complexities. The methodology used must be meaningful for the uniqueness of the disparate populations served. Academic gains should not be the sole criterion used to measure educational progress. As the severity of a handicapping condition increases, the broader the meaning of education.

The individual IEP is the only evaluative instrument built into the process of operating programs and services. This is not enough. Common sense raises the question, "Isn't there anything that's not working?" It is impossible to accept the premise, given all the development activity of the last five years, that all programs were equally successful in producing appropriate educational gains for students.

Past State efforts have addressed standards for approval of special education programs. The standards and monitoring visits have been helpful in raising the quality of programs delivered, but more sophisticated questions must be asked over the next five years.

Issue #3 To insure a *more cost effective delivery* of programs and services.

Development activity is rarely economical or cost effective in the short run. The focus in development has been to design and implement programs. The focus in consolidation is to collect and use information in order to make judgements about what works best, determine the most economical ways to do what works best, organize parts for greater efficiency, and reduce costs by bringing together parts with similar functions. Such activity rarely occurs normally without some external impetus.

From a local perspective several questions affecting cost need to be asked about Debra Mitchell's program. For example, 1) could the 5th grade classroom teacher administer the semester testing program as part of Debra's regular classroom work rather than have her removed and tested by a reading specialist, 2) could we incorporate Debra's speech exercises into her oral instruction with the learning disabilities specialist, 3) or is it possible in Debra's individual program to "consolidate" the instruction from three specialists to one? From a State perspective, questions which could be asked include: 1) are there local programs available which could be made available regionally, thus reducing the number and costs of duplicate programs?, 2) are there regional programs with large numbers of students from an individual district which should be a local program?, 3) are there students with specific handicapping conditions in certain areas of the state for whom there are insufficient programs available?

Other dimensions in need of analysis, which could potentially improve programs and reduce costs, include: 1) the personnel and time most necessary for Pupil Evaluation Team staffings on individual students, 2) the appropriateness of diagnostic and retesting information being done in regions, districts, schools, and classrooms, 3) the reduction or streamlining of paperwork, both by the requestors and the responders, and 4) the transportation for handicapped students.

The decision to consolidate program activities should be based on some data beyond "Thre's no money" or "The program costs too much for us to do". There are presently few local, regional or State efforts based on evaluative data. Consolidation is the time *for a systematic, rational process for analyzing and evaluating programs and services at all levels of the system.*

RECOMMENDATION: Following a two-year stabilization of activity and funding, all levels of the system should be requested to complete a descriptive evaluative report of programs and services for educationally handicapped students for which they are responsible.

Stabilization of activity and funding needs to occur so that internal systems can be clarified and streamlined. Once that has occured, accurate information can be obtained for making reasonable judgements. Such a report following a two-year stabilization period would request:

1. what is being done
2. how well it is working
3. the integration aspects of programs and services
4. points of duplication and redundancy
5. components which could be consolidated

An analysis of this information followed by the introduction of some basic principles of good management should lead to more cost effectiveness. This should be a serious effort with adequate notice and lead time provided so that managers can act responsibly rather than responding to "just one more exercise in education". Consolidation and good management necessitate that evaluative judgements be systematically applied to all dimensions of the system.

Issue #4 To redefine the *roles of the State and Special Education* in a consolidation effort.

In the past five years, the Special Education staff have worked hard in difficult circumstances. They have provided leadership and performed a multitude of diverse functions while the world of special education was rapidly changing. Few other states can claim accomplishments in special education that New Hampshire has made. A federal review found full identification and no identified handicapped students without programs; SPEDIS has been designated as a model State system; the handicapped students' needs have been and remain the focus of all policy. The leadership functions provided by the State in the past as presented in Section I included interpreter of the laws, facilitator of program development, distributor of funds, collector of data, advocate of student rights, etc. This work allowed the State to move from the example of James Merritt to the example of Debra Mitchell. The State must now help the move to the example of Chris Adams.

> Chris Adams is a hearing impaired adolescent who has gone to school 50 miles from home for the last four years. Recently Chris entered West High School and takes classes in science, math, home ec., and art, with special reading instruction.

Several of the activities that have been performed by the State in Chris' schooling are no longer necessary. The increase in local expertise and the hiring of special education staff at the local level have helped to assure 1) understanding of the rights of handicapped students, 2) continuing development of programs, 3) the identification and placement of handicapped students, and 4) the continued training of regular instructional personnel.

What districts with the State's help must focus on for the next five years is 1) refinement of programs, 2) assessment of programs, 3) consolidation of services, and 4) elimination of "gaps" or "omissions" in services. Not every district needs a discrete program for hearing impaired adolescents like Chris, but such a program should be available

within each geographic area. *Local control of programs and money will not lead to the availability of a complete range of programs at regional and state levels to serve students with low incidence handicapping conditions.* This will not occur unless the State undertakes some new functions or tasks.

> *RECOMMENDATION: A reassessment of the State's function for the next five years needs to occur with the resultant redefinition of job responsibilities and a determination of the skills of staff needed to carry out the future roles.*

Clearly the role of the State remains one of leadership, but this leadership should be provided in the context of some state-wide plan or progress toward goals. The implementation of any part of this report implies new tasks for the State, whether it is development of a State plan for the provision of programs and services which insures the development of consolidation of regional and State services, the undertaking of analysis and evaluation of services presently being delivered, or the provision of assistance and procedures for implementing cost effective management principles.

It is unlikely that the development and equalization of programs and services will occur on a state-wide basis without significant leadership from the State. The impetus to move a program geographically will not occur locally. Additionally, as funds are reduced, some districts will discontinue costly programs for low incidence handicaps which could result in major state-wide gaps in services and programs. It is necessary that the authority for and outline for the total range of programs and services across the state be placed definitely to provide a rational basis for assisting school districts as they make decisions in the years ahead.

CONCLUSION

The pressures on local districts will continue to increase. Federal budgets are being cut, the future of P.L. #94-142 is uncertain, support for gifted and talented programs grows, communities feel that "the average child is left out", and handicapped students and their parents continue to press for rights and resources. School boards, in performing their duties for the State, must sort demands, make decisions about resources, and respond to the communities which elected them.

All decision-making groups are in need of clarity of purpose, priorities, and direction to support their deliberations related to special education. The State can provide this clarification for decision-making units in a brief series of discussion papers on topics such as the separation of public health and education and the continuum of remediation and special education. Tremendous amounts of energy and time are expended in the planning and decision-making around educationally handicapped students. Without clear guidelines for decision-making and implementation, these valuable resources are often used wastefully.

A five-year consolidation plan based on this report would:

1. Stabilize programs and funding for two years
2. Redefine the State and Special Education's role of leadership, authority and responsibilities
3. Compile a comprehensive plan of programs and services that would be available locally, regionally, and within the State to equitably serve all handicapped students
3. Initiate an evaluative study of student progress and program input
5. Request descriptive evaluative reports on all programs and services
6. Distribute a series of discussion papers

Judgements based on the action listed above would provide for maximum availability, effectiveness, and efficiency in special education services in New Hampshire.

APPENDIX

SUMMARY

The accomplishments of New Hampshire in the last five years have been major. Few states can match the quality of effort that has been expended in special education by New Hampshire. Problems exist, issues need to be resolved, and new directions initiated. But take a moment to step back from the daily crises. The people of New Hampshire have within five years seriously and responsibly addressed a significant educational and societal problem. Major changes working toward resolution of special education issues have been created with integrity. Much has been accomplished.

Past achievements include:

1. The acquisition of a broad base of knowledge about the law and about the education of handicapped students by large numbers of people in New Hampshire.
2. The delivery of services through a wide range of programs for handicapped students throughout the state.
3. The responsible use of funds by local districts and regional units to serve handicapped students.
4. An emerging awareness of the complexity and the inter-relatedness of agencies, services, laws, and funding serving handicapped students.

Students are being served. The development phase is over. A fine beginning has been made, but much remains to be done.

The key objectives and issues to be addressed in the consolidation phase which would affect the delivery of programs and services for the educationally handicapped in New Hampshire include:

1. To obtain an <u>equitable distribution</u> of quality services and programs across the state.
2. To assure that the programs and services are resulting in <u>increased student progress</u> at a level sufficient for the effort expended.
3. To insure a <u>more cost effective delivery</u> of programs and services.
4. To redefine the <u>roles of the State and Special Education</u> in a consolidation effort.

A five-year consolidation plan which addresses the objectives above would:

1) Stabilize programs and funding for two years
2) Redefine the State and Special Education's leadership, authority and responsibilities.
3) Compile a comprehensive plan of programs and services that would be available locally, regionally, and within the State to equitably serve all handicapped students
4) Initiate an evaluative study of student progress and program input
5) Request descriptive evaluative reports on all programs and services
6) Distribute a series of discussion papers

Judgements based on analysis of the information resulting from action listed above would provide for maximum availability, effectiveness, and efficiency in special education services in New Hampshire.

Discussion Guide

Objective: To generate discussion and analysis about the status of special education in New Hampshire.

Desired Outcome: Increased awareness and understanding of the critical issues which now need to be addressed by special education in New Hampshire.

Materials Needed: Discussion Paper "Special Education in New Hampshire: A Five Year Perspective", Massey and Crosby.

Time: 1 to 1½ hours

Discussion Guide:

15 min. 1. Introduction

a. Who are we, what we did, what we found
b. Lead to paper based on our observations and analysis
c. Purpose of paper to assist in your study, analysis, reflection, and evaluation of special education in New Hampshire
d. What is your role or responsibility or task as it relates to special education in New Hampshire?
e. How can such a paper assist you?

15 min. 2. Compare and Contrast

a. In the last few years, what do you see as the achievements that have been made in New Hampshire? List on board
b. Compare list with 4 generic achievements in paper (p. 5)
c. These achievements have resulted from activities (p. 4) plus more (taken from their list)
d. Summary: can we agree that a lot has indeed occurred and been achieved? Can we be pleased about our work in New Hampshire?

15 min. 3. Development and Consolidation

a. List from group on board "characteristics or things that typically happen in development phase and consolidation phases." (Make a chart)
b. Look at list in terms of "Has this been true for New Hamsphire?"
c. Summary: So in a consolidation phase what can we expect to be doing in New Hampshire? (Review list)

15 min. 4. Getting Specific

a. Key issues for consolidation in New Hampshire (p. 9)
b. Walk through issues and recommendations

15 min. 5. Compare and Contrast

a. How do these issues and recommendations FIT with what is now being done in New Hampshire? Are they possible? Should they be done?
b. Points of agreement/disagreement (List)
c. What needs to happen next?